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REPORT OF THE SECRETARY-GENERAL ON THE MASSACRE OF THE CIVILIAN POPULATION IN STUPNI DO, BOSNIA AND HERZEGOVINA

INTRODUCTION

1. I should like to refer to the statement issued by the President of the Security Council on behalf of the members of the Council, on 28 October 1993 (S/26661), in which the members of the Council requested the Secretary-General to submit as soon as possible a complete report on the massacre of the civilian population in the village of Stupni Do on 23 October 1993 by troops of the Croatian Defence Council (HVO). The following represents the results of the investigation of the incident undertaken by the Military Police of the United Nations Protection Force (UNPROFOR).

2. Stupni Do is a small predominantly Bosnian Muslim village situated on a hillside 2 kilometres from the town of Vares. It is mainly an agricultural and cattle-raising community that consisted of 224 Muslim residents and 11 refugees who had been accommodated in the village. Some of the men worked in the mines in the nearby community of Vares. The village had also had approximately 30 Serb residents, but they left the area shortly after HVO assumed military control in the Vares region. Although surrounded by HVO-controlled villages, Stupni Do was controlled by the Bosnian Presidency Forces (BiH Armija).

3. According to extensive interviews with survivors of the massacre, it appears that, following the wresting of control of the Vares area from civilian officials by the HVO military in July 1992, the residents of Stupni Do were under increasing pressure to hand over their weapons and submit to HVO control. The residents refused to do so and, as a result, on one occasion in August 1992, the HVO military police chief threatened to burn the village to the ground. Relations between the communities further deteriorated shortly after Croat refugees began to arrive from the Kakanj area and residents of surrounding villages began to become more aggressive towards the inhabitants of Stupni Do.

4. Ten days before the attack on Stupni Do, HVO began to restrict the movement of the inhabitants from the village. The Mayor of Stupni Do, who had the responsibility of travelling through HVO territory to obtain supplies for the community, was denied permission to do so and residents were forbidden to purchase any goods in the town of Vares. Those who purchased goods had them

forcefully taken away. As a result of this crack-down, the Mayor had the community shelters prepared and stocked with emergency rations.

5. On Friday, 22 October 1993, residents of Stupni Do were warned by a Croat from Vares to leave the village as something terrible was about to happen. An HVO soldier also apparently visited his sister and her husband in order to evacuate them before the impending attack. Surrounding Croat villages were reportedly put on alert for the attack at approximately 0300 hours on 23 October 1993. While most residents of Stupni Do did not take these warnings seriously, their defence force of 36 local Armija soldiers mobilized to guard the village during the night. However, they did not have enough men to cover their perimeter and there were stretches of 300 to 400 metres without protection.

6. Between 0800 and 0810 hours on the morning of 23 October 1993, when the village defence force was changing shifts, a grenade explosion occurred, immediately followed by continuous small arms and anti-aircraft gunfire from all sides. The attack, which appeared to come from below the village, worked its way upwards, and many witnesses noted the apparent use of incendiary bullets by the attacking forces as shells landing in the village set houses on fire. Many residents took shelter in community basements, while others ran for the surrounding woods. The BiH Armija force in Stupni Do congregated in the main part of the village, guarding 50 to 60 civilians in the main village shelter. Around 1400 hours, the HVO forces began to attack the BiH forces in this area, slowly moving upwards and forcing them to withdraw. At approximately 1630 hours, the shooting diminished and the HVO started withdrawing from the village, allowing residents to go through the village looking for survivors.

7. Initial indications of an attack on Stupni Do became evident to elements of UNPROFOR's second Nordic battalion (Nordbat 2) on the afternoon of 23 October 1993, when patrols in the area sighted smoke and heard firing from the direction of the village. However, attempts by Nordbat 2 to enter the village were consistently blocked by the HVO Bobovac brigade, which threatened UNPROFOR troops with rocket-propelled grenade anti-tank weapons, small arms and barriers of anti-tank mines. It was only on 25 October 1993, when reports of the massacre had become widespread, that the then UNPROFOR Senior Military Observer in the area was permitted to enter the village and inspect three houses. On the morning of 26 October 1993, a Nordbat 2 patrol finally entered the village and, on the afternoon of the same day, a military police unit was dispatched to carry out an initial investigation of the incident. In the absence of any supplementary resources to deal with such incidents and in view of the urgency of preserving the evidence and documenting what appeared to be a war crime, it was decided to charge UNPROFOR Military Police with the investigation.

8. Members of the first UNPROFOR unit to enter Stupni Do reported that the village was empty and that all 52 houses in the village showed signs of having being burnt. Some of the houses were described as having the appearance of crematoria. Fourteen bodies were discovered, of whom 4 men and 3 women were identified, but the rest were burnt beyond recognition. Two bodies were found to have crushed skulls and some appeared to have been burned on the top of destroyed houses. There were also several dead cattle lying about, many also burnt, and a strong odour of burnt flesh was in the air.

9. In its investigation of the events surrounding the Stupni Do incident, UNPROFOR military police interviewed most of the 193 survivors of the attack. These interviews were conducted for the most part in Dabravine and Vares, where most of the survivors had sought refuge. As a result of the continued hostilities in the area, access to and the location of witnesses was a slow and laborious process.

10. In describing the incident, many witnesses stated that the HVO attackers were wearing black uniforms with white bands on the left shoulder or green camouflage uniforms. Some had camouflaged faces and HVO patches, while others had no identifying marks. Those wearing black uniforms also wore black baseball caps and were suspected to be members of an HVO "death squad" or special forces unit from Kiseljak. One survivor believed that HVO from Vares and the Bobovac brigade from Kiseljak took revenge on Stupni Do as a reprisal for BiH Armija offensives in the region, in particular in Kakanj. With only two exceptions, none of the witnesses recognized any of the HVO soldiers as being from the local area, nor did they hear names being used, other than nicknames.

11. Several female survivors from Stupni Do stated that they had been raped by HVO soldiers during the attack. Others reported being robbed of their valuables and, in one case, of a 54-year-old grandfather being killed by automatic machine-gun fire because he possessed no money or valuables to hand over. Several survivors also reported that they had witnessed the killing of three disabled and unarmed men found in one of the community shelters and the machine-gunning to death of a 56-year-old woman who had complained of a sore leg. One survivor also recounted hiding in a family basement with three other women and of being discovered by some HVO soldiers who, on entering the basement and inquiring if anyone was present, shot the three women who were offering to surrender.

12. In many instances, the testimony of witnesses has been recorded on videotape. UNPROFOR on-site investigations and photographic evidence also seem to corroborate the details of the incident as reported. Investigations to date have shown that crimes against innocent civilians in Stupni Do took place on 23 October 1993. Twenty-three victims so far have been clearly identified. A further 13 villagers of Stupni Do are unaccounted for and presumed dead, bringing the preliminary total number of victims to 36. The main suspects for the commission of these crimes appear to be extremist elements of the Croatian Defence Council from Kiseljak, Travnik and Kakanj under the command of Ivica Rajic. The HVO Bobovac brigade, operating under its Deputy Commander, Kresimir Bozic, prevented UNPROFOR units from entering the village after the attack.

13. Investigations are continuing in order to gain as much evidence as possible with a view to identifying the perpetrators for eventual trial before the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. The Security Council will be kept informed of the progress made in the investigation.